

### **AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) ~~Nucleic acid including a nucleic acid sequence selected from the group consisting of: SEQ ID NOS. 1-9~~ An isolated nucleic acid having a nucleic acid sequence of at least 90% sequence identity to SEQ ID NO: 1 or SEQ ID NO: 2, which is anti-apoptotically active and functional variations of this nucleic acids.

2. - 7. (Canceled)

8. (Currently Amended) ~~[[A]] The isolated nucleic acid of claim 1, wherein 100 or less nucleotides are attached in at least one of the 5' and 3' directions to the sequence selected from the group consisting of SEQ ID Nos. 1-9 having a nucleic acid sequence of at least 95% sequence identity to SEQ ID NO: 1 or SEQ ID NO: 2.~~

9. (Currently Amended) ~~[[A]] The isolated nucleic acid of claim 1, wherein 70 or less nucleotides are attached in at least one of the 5' and 3' directions to the sequence selected from the group consisting of SEQ ID Nos. 1-9 having an anti-apoptotic activity of at least 70% inhibition.~~

10. (Currently Amended) ~~[[A]] The isolated nucleic acid of claim 1, wherein 30 or less nucleotides are attached in at least one of the 5' and 3' directions to the sequence selected from the group consisting of SEQ ID Nos. 1-9 having an anti-apoptotic activity of at least 80% inhibition.~~

11. (Currently amended) ~~[[A]] An isolated nucleic acid of claim 1, wherein 20 or less nucleotides are attached in at least one of the 5' and 3'~~

~~directions to the sequence selected from the group consisting of SEQ ID Nos. 1-9~~  
having an anti-apoptotic activity of at least 90% inhibition.

12. (Currently amended) [[A]] An isolated nucleic acid of claim  
1, ~~wherein 10 or less nucleotides are attached in at least one of the 5' and 3'~~  
~~directions to the sequence selected from the group consisting of SEQ ID Nos. 1-9~~  
having an anti-apoptotic activity of at least 95% inhibition.

13. (Currently amended) ~~Nucleic~~ An isolated nucleic acid  
having a nucleic acid sequence selected from those of SEQ. ID Nos. 1-9 the group  
consisting of SEQ ID NO: 1 and SEQ ID NO: 2.

14. (Currently amended) ~~Pharmaceutical~~ A pharmaceutical  
preparation comprising ~~a nucleic acid~~ the isolated nucleic acid of claim 1 in  
combination with a pharmaceutical vehicle.

15. (Currently amended) A diagnostic test kit comprising a  
~~nucleic acid~~ the isolated nucleic acid of claim 1 in combination with positive and  
negative controls.

16. (Currently amended) A method of manufacturing ~~a nucleic~~  
~~acid~~ the isolated nucleic acid of claim 1, comprising chemically synthesizing the  
nucleic acid using a DNA/RNA synthesizer.